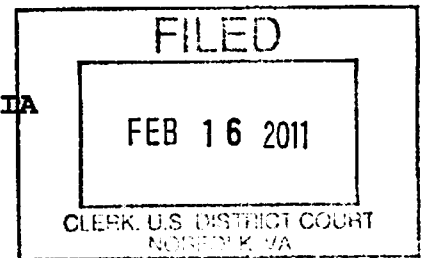


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



PFIZER INC., et al.,
Plaintiffs,

v.

Case No.: 2:10cv128

TEVA PHARMACEUTICALS USA, INC.,
Defendant.

ORDER

On February 15, 2011, the Court held a hearing in this matter. Conrad M. Shumadine and Aaron Stiefel appeared on behalf of Pfizer, Inc., Pfizer Limited, and Pfizer Ireland Pharmaceuticals ("Pfizer"). Gregory N. Stillman and John P. Hanish appeared on behalf of Teva Pharmaceuticals USA, Inc. ("Teva"). The court reporter was Gloria Smith.

Before the Court was Teva's Motion to Amend/Correct the Court's Rule 16(b) Scheduling Order, (ECF No. 82), Pfizer's Motion Concerning Three Disputes with Respect to the Scheduling and Conduct of Depositions, (ECF No. 93), Teva's Motion to Compel the Deposition of Susan Webb, (ECF No. 95), and Teva's Motion for Protective Order, (ECF No. 96).

For the reasons set forth at the hearing, the Court ORDERS as follows:

A. Motion to Amend/Correct Rule 16(b) Scheduling Order

The Rule 16(b) Scheduling Order in this case, (ECF No. 37), is hereby AMENDED to include the following provisions:

- 1) Teva shall provide the disclosure outlined in Rule 26(a)(2)(B) for its designated expert witness Mr. Houseman by February 25, 2011.
- 2) Rule 702, 703 or 705 disclosures intended solely to respond to, contradict or rebut evidence on the same subject matter contained in the disclosure related to Mr. Houseman shall be made by March 25, 2011.
- 3) Any rebuttal disclosure to a disclosure pursuant to paragraph (2) above shall be made by April 11, 2011.
- 4) All discovery related to Mr. Houseman, and any deposition of Mr. Houseman for presentation in evidence in lieu of the appearance of the witness at trial, shall be concluded on or before April 15, 2011.
- 5) All other provisions in the Rule 16(b) Scheduling Order, including all deadlines for expert disclosures, remain in full effect.

B. Pfizer's Rule 30(b)(6) Notices

Teva is DIRECTED to designate a witness as to each topic from Pfizer's Rule 30(b)(6) notice. Counsel may meet and confer to refine the language within topics 1-5, 7-9, and 15-16, however, Teva shall designate a witness for those specific topics even if

Pfizer declines to refine the language from the Rule 30(b)(6) notice.

C. Teva's Motion for a Protective Order

If Teva desires the Court to enter a further protective order in this case it shall provide a draft protective order to the Court by Friday, February 18, 2011, at 12:00 p.m. EST. Counsel are DIRECTED to meet and confer and to sign the proposed protective order if it is agreeable to both sides. If there are disagreements, Teva is directed to provide the proposed protective order to the Court with a brief description of the disagreements between the parties over the proposed order.

D. Deposition of Philip Erickson

The Court ORDERS that the deposition of Philip Erickson shall be continued on a date agreed upon between the parties.

E. Deposition of Susan Webb

The Court ORDERS that Teva will be allowed to take the deposition of Susan Webb on a date and at a location agreed upon between the parties.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

Norfolk, Virginia

February 15, 2011